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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/816,220

03/26/2001

Tohru Kanno

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08/24/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
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ALEXANDRIA, VA 22314

EXAMINER

GIBBS, HEATHER D

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,220

Applicant(s)

KANNO, TOHRU

Examiner

Heather D Gibbs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Satoh (US 5,276,875).

Regarding claim 1, which is representative of claim 15, Satoh teaches An image processing apparatus, comprising: a scanner 40 including a direct control section configured to control a scanning operation of the scanner so as to input image information from an original document; and a main body 100 configured to process the image information, and including a control section configured to perform an initializing process for the main body, wherein a homing operation of the scanner is performed by the direct control section independently of the initializing process of the control section of the main body, when power is supplied to the image processing apparatus or when the image processing apparatus is returned from a shutdown state (Col 2 Lines 47-64; Col 11 Lines 5-34; Fig 14).

Considering claim 2, which is representative of claim 16, Satoh teaches An image processing apparatus, comprising: a scanner 40 including a direct control section configured to control a scanning operation of the scanner so as to input image information from an original document; an image input device 32 other than said scanner configured to input image information; a main body 100 configured to process the image information input by the scanner and the image input device, said main body including a control section configured to perform an initializing process for said main body; and an operation device configured to determine whether a homing operation of said scanner is performed by the direct control section independently of the initializing process of the control section of the main body or by an instruction provided from the control section of the main body, when power is supplied to the image processing apparatus or when the image processing apparatus is returned from a shutdown state (Col 11 Lines 5-34; Fig 14).

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Considering claim 3, which is representative of claim 17, Satoh teaches An image processing apparatus having a plurality of functions, comprising: a scanner 40 including a direct control section configured to control a scanning operation of the scanner so as to input image information from an original document; an image input device 32 other than said scanner configured to input image information; a main body 100 configured to process the image information input by said scanner and said image input device, said main body including a control section 101 configured to perform an initializing process for said main body; and an operational mode selection device configured to select one of a first operational mode in which a homing operation of the scanner is performed by the direct control section independently of the initializing process of the control section of the main body, and a second operational mode in which the homing operation of the scanner is performed by an instruction provided from the control section of the main body, when power is supplied to the image processing apparatus or when the image processing apparatus is returned from a shutdown state, wherein said operational mode selection device selects the first operational mode when each of the plurality of functions is fulfilled with said scanner, and selects the second operational mode when at least one of the plurality of functions is fulfilled without the scanner (Fig 14; Col 24 Lines 60-68; Col 25 Lines 36-56).

Regarding claim 4, which is representative of claims 18, Satoh teaches The image processing apparatus according to claim 3, wherein the operational mode selection device includes a volatile memory configured to store data, detected by the control section of the main body, on the plurality of functions of the image

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processing apparatus, and wherein the operational mode selection device selects the first or second operational modes based on the data stored in the volatile memory (Col 25 Lines 12-35).

Considering claim 5, which is representative of claims 11,19, and 25, Satoh teaches An image processing apparatus having a plurality of functions, comprising: a scanner 40 including a direct control section configured to control a scanning operation of the scanner so as to input image information from an original document; an image input device 32 other than said scanner configured to input image information; a main body 100 configured to process the image information input by said scanner and said image input device, said main body including a control section configured to perform an initialization process for said main body; and an operational mode selection device configured to select one of a first operational mode in which a homing operation of the scanner is performed by the direct control section independently of the initializing process of the control section of the main body, and a second operational mode in which the homing operation of the scanner is performed by an instruction provided from the control section of the main body, said operational mode selection device including a volatile memory configured to store data, detected by the control section of the main body, on the plurality of functions of the image processing apparatus, wherein the operational mode selection device selects the first operational mode when each of the plurality of functions is fulfilled with said scanner when the image processing apparatus is returned from a shutdown state, and selects the second operational mode when power is supplied to the image processing apparatus, and wherein the operational

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mode selection device selects the second operational mode when the data stored in the volatile memory includes at least one of the plurality of functions fulfilled without the scanner when the image processing apparatus is returned from a shutdown state (Col 24 Lines 60-68; Col 25 Lines 36-56; Fig 14).

Regarding claims 6-7,13-14, which are representative of claims 20-21,27-28 Satoh teaches The image processing apparatus according to claim 3, wherein the plurality of functions comprise at least one of a facsimile function, a printer function, and a filing function in addition to a copying function (sorter 63; Col 4 Lines 43-45).

Regarding claim 8, which is representative of claim 22, Satoh teaches A method for initializing an image processing apparatus having a main body for processing image information input by a scanner, comprising: performing a homing operation of the scanner independently of an initializing process of the main body, when power is supplied to the image processing apparatus or when the image processing apparatus is returned from a shutdown state (Col 2 Lines 49-64; Col 11 Lines 5-34).

Considering claim 9, which is representative of claim 23, Satoh teaches A method for initializing an image processing apparatus having a main body for processing image information input by a scanner, comprising: selecting a first operational mode in which a homing operation of the scanner is performed by a direct control section of the scanner independently of an initializing process of the main body or a second operational mode in which the homing operation of the scanner is performed by an instruction provided from the main body (Col 2 Lines 49-64; Col 11 Lines 5-34).

Considering claim 10, which is representative of claim 24, Satoh discloses A method for initializing an image processing apparatus having a plurality of functions and a main body for processing image information input by a scanner or another image input device, comprising: detecting a plurality of functions included in the image processing apparatus; and selecting a first operational mode in which a homing operation of the scanner is performed by a direct control section of the scanner independently of an initializing process of the main body when each of the plurality of functions is fulfilled with the scanner or selecting a second operational mode in which the homing operation of the scanner is performed by an instruction provided from the main body when at least one of the plurality of functions is fulfilled without said scanner (Col 2 Lines 49-64; Col 11 Lines 5-34; Fig 14).

Regarding claim 12, which is representative of claim 26, Satoh discloses A method for initializing an image processing apparatus having a plurality of functions and a main body 100 for processing image information input by a scanner 40 or another image input device 32, comprising: detecting a plurality of functions included in the image processing apparatus (Col 4 Lines 46-56); storing, in a volatile memory, data corresponding to the plurality of functions detected in the detecting step (RAM 111); and selecting a first operational mode in which a homing operation of the scanner is performed by a direct control section of the scanner independently of an initializing process of the main body when each of the plurality of functions stored in the volatile memory is fulfilled with said scanner when the image processing apparatus is returned from a shutdown state, or selecting a second operational mode in which the homing operation of the scanner is performed by an

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instruction provided from the main body when power is supplied to the image processing apparatus and when at least one of the plurality of functions stored in the volatile memory is fulfilled without said scanner when the image processing apparatus is returned from the shutdown state (Col 2 Lines 47-64; Col 11 Lines 5-34; Fig 14).

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 09/05/2001, 10/08/2003, and 1/27/2004 were filed after the mailing date of the application. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement. However, a PTO-1449 was not included for the Examiner to initial. Please provide from PTO-1449 in your next correspondence.

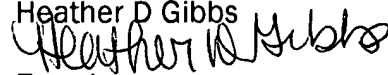
Conclusion

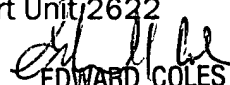
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather D Gibbs

Examiner

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EDWARD COLES
SUPERVISORY PATENT EXAMINER
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hdg